

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 1997-245-T/2009-142-T - ORDER NO. 2009-367

JUNE 9, 2009

IN RE: Docket No. 1997-245-T - Application of)	ORDER GRANTING
Hilton Head Moving & Storage, Inc. for a)	REINSTATEMENT OF
Class E (Household Goods) Certificate of)	CERTIFICATE
Public Convenience and Necessity.)	
)	
AND)	
)	
Docket No. 2009-142-T – Petition of the)	
Office of Regulatory Staff for Commission to)	
Order a Rule to Show Cause as to Why the)	
Certificates of Public Convenience and)	
Necessity for Certain Class E (Household)	
Goods) Motor Carriers Should Not Be)	
Revoked for Failure to File Gross Receipts)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Hilton Head Moving & Storage, Inc. (“Applicant”) to reinstate Class E (Household Goods) Certificate of Public Convenience and Necessity No. 9685.

On April 1, 2009, a Petition for a Rule to Show Cause was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity for certain Class E (Household Goods) commodity carriers should not be revoked for failure to file gross receipts and thereby failing to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The

record reflects that the Applicant was a respondent to the Rule to Show Cause for failure to file gross receipts.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on May 13, 2009. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to file gross receipts. Accordingly, the Commission issued Order No. 2009-332, dated May 19, 2009, which cancelled the Applicant's Certificate No. 9685.

By application received May 21, 2009, the Applicant requests that the Certificate in question be reinstated. The required gross receipts forms have been filed, and the original Application for certification on file with the Commission provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class E (Household Goods) Certificate of Public Convenience and Necessity No. 9685 of Hilton Head Moving & Storage, Inc. be, and hereby is, reinstated,

subject to compliance with all Commission Rules and Regulations within sixty (60) days of the date of this Order.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations within sixty (60) days of the date of this Order.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing with the Office of Regulatory Staff proof of appropriate insurance, the payment of license fees, filing of gross receipts, and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, the motor carrier services authorized by the Certificate shall not be provided.

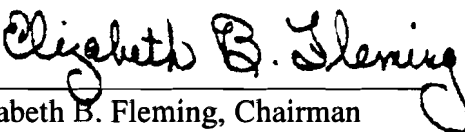
4. That failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance on forms as approved by the Commission, payment of license fees, filing of gross receipts and such other information required by law within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in this Order being revoked.

JUNE 9, 2009

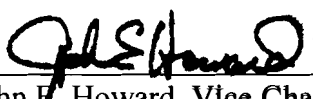
PAGE 4

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John F. Howard, Vice Chairman
(SEAL)